

By: Lozano

H.B. No. 17

Substitute the following for H.B. No. 17:

By: Alonzo

C.S.H.B. No. 17

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Higher Education
Innovation Accelerator for public institutions of higher
education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 3, Education Code, is amended
by adding Chapter 60 to read as follows:

CHAPTER 60. TEXAS HIGHER EDUCATION INNOVATION ACCELERATOR

Sec. 60.001. DEFINITIONS. In this chapter:

(1) "Accelerator" means the Texas Higher Education
Innovation Accelerator established under this chapter.

(2) "Board," "governing board," and "institution of
higher education" have the meanings assigned by Section 61.003.

(3) "Commissioner" means the commissioner of higher
education.

(4) "Participating institution" means an institution
of higher education whose governing board has approved an
innovation plan for the institution under Section 60.005.

Sec. 60.002. PURPOSE. The Texas Higher Education
Innovation Accelerator is established to support and accelerate
innovation in educational delivery at institutions of higher
education and to advance state educational and workforce goals.

Sec. 60.003. ELIGIBILITY. The commissioner, in
consultation with institutions of higher education, established

1 institutional collaboratives, and state and national subject
2 matter experts, shall establish eligibility criteria for an
3 institution of higher education's participation in the
4 accelerator. The criteria must include demonstrated success, as
5 determined by the commissioner, in:

6 (1) providing high-quality, high-value educational
7 opportunities to all students, particularly low-income and
8 historically underserved student populations, including students
9 enrolled in adult degree completion programs; and

10 (2) advancing state and institutional goals related to
11 educational access, persistence, and attainment and labor market
12 outcomes.

13 Sec. 60.004. NOTIFICATION AND INVITATION TO PARTICIPATE.

14 (a) The commissioner shall:

15 (1) notify the governing board and chief executive
16 officer of each institution of higher education regarding the
17 accelerator's implementation process; and

18 (2) invite eligible institutions to participate in the
19 accelerator.

20 (b) The commissioner shall develop, in consultation with
21 institutions of higher education, established institutional
22 collaboratives, and state and national subject matter experts, and
23 post on the board's Internet website:

24 (1) a description of the accelerator;

25 (2) the eligibility criteria for participation in the
26 accelerator established under Section 60.003; and

27 (3) a comprehensive list of state statutes and rules

1 from which a participating institution may not be exempted under
2 Section 60.006.

3 Sec. 60.005. INNOVATION PLAN. (a) To participate in the
4 accelerator, an eligible institution shall:

5 (1) submit a letter of intent to participate to the
6 commissioner; and

7 (2) develop and submit an innovation plan to the
8 institution's governing board as provided by this section.

9 (b) An innovation plan must:

10 (1) summarize the proposed educational programs to be
11 offered under the accelerator, including:

12 (A) each program's design, delivery methods, and
13 implementation plan; and

14 (B) the anticipated number and demographics of
15 students to be served by each program;

16 (2) describe in detail the modifications to
17 traditional program structures necessary to implement the proposed
18 educational programs, such as changes to institutional calendars,
19 course schedules or structures, faculty workload, credit hours, or
20 other program requirements;

21 (3) identify how the proposed educational programs
22 align with specific state and institutional goals;

23 (4) include, to the extent practical, data regarding
24 educational programs offered at other institutions of higher
25 education that are similar to each proposed educational program,
26 including:

27 (A) student enrollment and demographics;

1 (B) student academic success, including the
2 average time for a student enrolled in the program to complete a
3 certificate or degree; and

4 (C) career placement data;

5 (5) provide for the assessment of student academic
6 success and ongoing program evaluation and improvement;

7 (6) commit the institution to participation in regular
8 meetings of the participating institutions and to the research and
9 evaluation efforts of the accelerator;

10 (7) include a plan for operations, staffing,
11 oversight, and sources of funding for the innovation plan; and

12 (8) identify any state statutes or rules that inhibit
13 the goals of the innovation plan and from which the institution
14 should be exempted on adoption of the plan, subject to Section
15 60.006, and state how the identified statutes or rules inhibit the
16 goals of the plan and how an exemption from those statutes or rules
17 will advance state and institutional educational goals.

18 (c) In addition to the state statutes or rules identified
19 under Subsection (b)(8), the institution may also identify other
20 state statutes or rules that inhibit the goals of the innovation
21 plan but from which the institution is not seeking an exemption.

22 (d) An innovation plan may include one or more departments
23 or certificate or degree programs.

24 (e) If an eligible institution's governing board approves
25 an innovation plan developed under this section, the institution
26 shall:

27 (1) submit a copy of the plan to the commissioner; and

1 (2) post the plan on the institution's Internet
2 website.

3 (f) An eligible institution may implement one or more
4 innovation plans that comply with this section.

5 Sec. 60.006. PERMISSIBLE EXEMPTIONS. (a) On approval of an
6 innovation plan by the institution's governing board, a
7 participating institution is exempt from the state statutes or
8 rules identified in the plan or identified by the commissioner as
9 needing to be exempted for proper implementation of the plan.

10 (b) A participating institution's exemption under
11 Subsection (a) applies to any subsequent amendment or redesignation
12 of the exempted state statute or rule, unless the subsequent
13 amendment or redesignation specifically applies to participating
14 institutions or an educational program offered under this chapter.

15 (c) A participating institution may not receive an
16 exemption under this section from:

17 (1) a federal statute or rule;
18 (2) any requirements imposed by statute or rule with
19 which the institution must comply to maintain accreditation;

20 (3) a state statute or rule that would have the effect
21 of limiting or abrogating the authority of the institution's
22 governing board;

23 (4) any reporting requirements under federal or state
24 statute or rule related to accountability;

25 (5) requirements related to automatic admissions
26 under Section [51.803](#) or [51.804](#);

27 (6) any mandatory tuition or fee exemptions, waivers,

or other benefits under Subchapter D, Chapter 54;

(7) eligibility criteria under state statute or rule for state financial assistance;

(8) the requirement for the board's approval for a new certificate or degree program under Section 61.0512; or

(9) any state statute or rule related to health or safety.

Sec. 60.007. DUTIES OF COMMISSIONER. (a) The commissioner shall:

(1) maintain and post on the board's Internet website a list of state statutes or rules from which participating institutions are exempt under this chapter;

(2) ensure that each participating institution provides transparent and accurate reporting on the institution's progress with the innovation plan;

(3) provide technical assistance to participating institutions on request; and

(4) hold meetings of all participating institutions at times established by board rule to facilitate cross-institutional collaboration and publicity about innovative educational programs developed by the institutions.

(b) The commissioner shall annually prepare and submit to the legislature and the governing board of each participating institution a report on the accelerator. The report must include:

(1) an evaluation of the progress made by participating institutions related to the development and implementation of the institutions' respective innovation plans;

1 (2) a list of federal and accreditation statutes or
2 rules that impede innovation in postsecondary educational
3 delivery; and

4 (3) any recommendations for legislative or other
5 action.

6 Sec. 60.008. DUTIES OF PARTICIPATING INSTITUTIONS. A
7 participating institution shall:

8 (1) track the progress and success of the
9 institution's innovation plan in accordance with the assessment and
10 success measures detailed in the plan; and

11 (2) participate in regular meetings of the
12 participating institutions and the research and evaluation efforts
13 of the accelerator.

14 Sec. 60.009. EVALUATION OF INNOVATION PLAN. (a) A
15 participating institution shall, in accordance with board rule,
16 partner or contract with one or more private organizations,
17 including a nonprofit organization, to evaluate the institution's
18 innovation plan and the results of the plan's implementation.

19 (b) The results of an evaluation of a participating
20 institution's innovation plan must be provided to each
21 participating institution and to the commissioner and posted on the
22 institution's Internet website.

23 Sec. 60.010. TERM. The term of an institution of higher
24 education's participation in the accelerator may not be less than
25 four years, and the term of an innovation plan may not be less than
26 three years or more than five years.

27 Sec. 60.011. AMENDMENT, RESCISSION, OR RENEWAL OF

1 INNOVATION PLAN. (a) An innovation plan may be amended by the
2 chief academic officer of a participating institution with prior
3 notification to the commissioner and the institution's governing
4 board.

5 (b) An innovation plan may be rescinded or renewed subject
6 to approval of the participating institution's governing board.

7 (c) The commissioner may recommend to a participating
8 institution's governing board that the governing board:

9 (1) renew the innovation plan due to the institution's
10 performance; or

11 (2) rescind its approval of the innovation plan if the
12 institution does not, as determined by the commissioner:

13 (A) demonstrate satisfactory progress on
14 intended outcomes;

15 (B) maintain eligibility requirements; and

16 (C) participate in good faith and contribute to
17 meetings of the participating institutions and the research and
18 evaluation efforts of the accelerator.

19 Sec. 60.012. TERMINATION BY COMMISSIONER. (a) The
20 commissioner may remove a participating institution from the
21 accelerator if the institution fails to meet eligibility
22 requirements, as determined by the commissioner, for at least two
23 consecutive years.

24 (b) Except as provided by Subsection (c), if a participating
25 institution is removed from the accelerator under this section, the
26 institution shall modify its educational programs as necessary to
27 comply with previously exempted state statutes or rules not later

1 than the first class day of the next academic term following the
2 institution's removal.

3 (c) The commissioner may exempt a participating institution
4 removed from the accelerator under this section from state statutes
5 or rules as necessary to minimize disruption for students enrolled
6 in the educational programs offered under the institution's
7 innovation plan.

8 Sec. 60.013. RULES. The board may adopt rules as necessary
9 to implement this chapter.

10 SECTION 2. (a) Not later than the 30th day after the
11 effective date of this Act, the commissioner of higher education
12 shall notify the governing board and chief executive officer of
13 each public institution of higher education regarding the
14 implementation process for the Texas Higher Education Innovation
15 Accelerator established under Chapter 60, Education Code, as added
16 by this Act, as required by Section 60.004(a) of that chapter.

17 (b) Not later than January 1, 2018, the commissioner of
18 higher education shall:

19 (1) invite eligible public institutions of higher
20 education to participate in the Texas Higher Education Innovation
21 Accelerator as provided by Section 60.004(a), Education Code, as
22 added by this Act; and

23 (2) post on the Texas Higher Education Coordinating
24 Board's Internet website the information required under Section
25 60.004(b), Education Code, as added by this Act.

26 SECTION 3. This Act applies beginning with the 2018-2019
27 academic year.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.